

President, to the body is very akin to what delegate Mason was saying.

MS. HARRIS: I'll withdraw the motion. Make your point.

MS. SIMMONS: We have very short memories, and I think sometimes that we have amnesia. You know, the whole statehood referendum did not have an overwhelming subscription. Now, we have the responsibility of getting the constitution, once written, passed by that same populace again. Then, on top of that, it has got to go to Congress.

Now, I can see Congress feeding us our own words. They'll say, "Well, if it didn't pass by two-thirds, then we don't think that that's good enough," and they will use that against us. I just think we ought to --

MS. SHELTON: Ms. Harris has withdrawn the motion.

MS. SIMMONS: Pardon?

MS. FREEMAN: The delegate has withdrawn the motion.

MS. SIMMONS: The motion was on the floor, I thought.

MS. SHELTON: She withdrew it.

PRESIDENT CASSELL: She has withdrawn the motion.

MS. SIMMONS: Excuse me. I'm sorry to have belabored the point.

PRESIDENT CASSELL: Is there a motion on the floor?

That has been withdrawn. Delegate Harris has withdrawn her motion; you have withdrawn your amendment. Delegate Baldwin has withdrawn his.

Is there a motion on the floor? There is a main motion on the floor made by delegate Holmes, right?

MR. KAMENY: Yes.

PRESIDENT CASSELL: Delegate Jackson?

MR. JACKSON: I would like to amend the motion to say this --

PRESIDENT CASSELL: Delegate Jackson.

MR. JACKSON: Evidently, some people --

PRESIDENT CASSELL: Delegate Jackson, I'm not calling on you. I'm asking you to stop talking because I had called on you before and I'd indicated I would --

MR. JACKSON: You asked for a motion.

PRESIDENT CASSELL: No, no, no; I did not ask for a motion. I asked if there was one on the floor.

MR. JACKSON: And I wanted to put one on the floor.

PRESIDENT CASSELL: I had indicated that after you, there would be delegate Rothschild, and you can make yours when your turn comes.

Delegate Rothschild?

MR. ROTHSCHILD: I'm not going to offer a motion,

but I'm going to try and do is give a little explanation. I think delegate Harris is raising a valid point in this respect. I think that 12 people is a very small number of people with which to pass a major motion in a --

MR. JACKSON: You're out of order.

MR. ROTHSCHILD: Wait a minute.

MR. KAMENY: There is no motion on the floor.

MR. JACKSON: He's out of order.

MR. KAMENY: You cannot address a non-existent motion.

MR. ROTHSCHILD: May I speak, Mr. Chairman?

MR. KAMENY: No.

MR. ROTHSCHILD: I am speaking to 8.1.

MR. JACKSON: He's out of order, Mr. Chairman. He cannot speak to Ms. Harris' motion; she has withdrawn.

MR. ROTHSCHILD: I'm speaking to 8.1.

PRESIDENT CASSELL: Please, hold it.

Delegate Rothschild, you referred to delegate Harris' motion. Delegate Harris' motion is no longer on the floor.

MR. ROTHSCHILD: I am speaking to 8.1.

PRESIDENT CASSELL: No, no, no. You referred to delegate Harris' motion. I have to rule you out of order.

Delegate Jackson?

MR. ROTHSCCHILD: Wait a minute. I'm speaking to 8.1; I'm trying to do a discussion of 8.1. Let me state it this way: I am speaking in opposition to accepting 8.1 as it is currently presented to us, my reason being this: I think on some of the comments that delegate Harris mentioned, I agree.

PRESIDENT CASSELL: I'd like to get past 8.1 now. Please continue.

MR. ROTHSCCHILD: Well, let me finish what I have to say.

If we have 23 people present and 12 of those people, basically, are a majority, that appears to me to be a small number of people to pass a motion. Many of the conventions that take place have a larger number of delegates. I therefore feel that 12 is a small number to pass a motion.

Also, we can correct it as follows. If we say that any motion that passes must have at least so many -- and I won't say the number right now, because I'll leave that open -- but if we say that any motion to pass must have at least "blank" votes in favor, that solves the problem. It raises it from 12 to some higher number, such as 20, 18, 21, or whatever.

MR. COOPER: Time.

MR. ROTHCHILD: So, that would raise the number up.

One more thing --

PRESIDENT CASSELL: Time has been called on you, sir.
Delegate Jackson?

MR. JACKSON: May I ask one question?

PRESIDENT CASSELL: Yes.

MR. JACKSON: Does anyone misunderstand this? Is
this clear to everyone?

VOICES: Yes.

PRESIDENT CASSELL: What is "this?"

MR. JACKSON: Rule 8.1. Is this clear to everyone?
Does someone not understand it?

(No response.)

MR. JACKSON: Mr. Chairman, I move that we close the
debate. I move the previous question.

(The motion was duly seconded.)

PRESIDENT CASSELL: There is a call for cutting off
debate. All in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed, no.

(There were two "nays.")

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: We are back to the main motion offered by delegate Holmes.

MS. PARAMORE: Point of information.

PRESIDENT CASSELL: Point of information.

MS. PARAMORE: I misunderstand the part which reads, "When a quorum is present, a majority of the delegates may adopt any motion or resolution." My problem is with "a majority of the delegates." If you have 23 delegates, what constitutes a majority of the delegates?

MS. HARRIS: Twelve.

PRESIDENT CASSELL: Please, please.

MS. PARAMORE: Well, I'd like to form a substitute motion.

MR. KAMENY: Point of order. The question has been called. No debate or motions are permissible.

MR. JACKSON: I moved the question, Mr. Chairman.

PRESIDENT CASSELL: All those in favor of 8.1 as it stands, signify by standing.

(A majority of the body stood.)

PRESIDENT CASSELL: The motion carries.
Delegate Holmes?

MS. HARRIS: Point of information, Mr. Chair.

PRESIDENT CASSELL: Yes?

MS. HARRIS: I would appreciate that, in each of the votes that are carried, not only do you carry the affirmative, but you also carry the nays and abstentions in terms of the record. We ought to carry our numbers.

PRESIDENT CASSELL: The Chair is willing to do that. We were trying to speed things along since we had such a delay there, but I agree that that is the proper thing to do.

Delegate Holmes, 8.2.

MS. HOLMES: Mr. Chairman, I move that we adopt all the amendments or corrections in 8.1, and I move that we adopt rule 8.2, with corrections and amendments if there be any.

MR. JORDAN: Just a point of information, Mr. Chairman.

PRESIDENT CASSELL: Yes?

MR. JORDAN: As I understood the chairperson's motions, there were two; one was to adopt all the amendments, and the second was to adopt the section, as amended. I'm confused. Which one is it?

PRESIDENT CASSELL: We just adopted rule 8.1, as it stands.

MR. JORDAN: I'm talking about 8.2. She made two statements.

PRESIDENT CASSELL: Right.

MS. HOLMES: Mr. Chairman, I make a motion that we adopt 8.2, with all corrections and amendments.

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that 8.2 be adopted, with corrections and amendments. Discussion?

Delegate Eichhorn?

MS. EICHHORN: I'd like to move that we delete the section which begins on the third line with "unless," through to the period after "session."

(The motion was duly seconded.)

MS. EICHHORN: And I'd like to speak to that. I believe that our meetings should be open, except in extraordinary circumstances. And should such circumstances arise, we should suspend the rules by a two-thirds vote. Rather than establish that executive meetings might be held, I would rather delete that from the rules and take such action if it's warranted at the time.

PRESIDENT CASSELL: Delegate Eichhorn, would you stand and speak a little louder? We heard where you started, but we didn't hear where you stopped.

MS. BICHORN. I'm suggesting that we put a period at the end of the second sentence. "The meetings shall be open to the public at all times," and delete the remainder of that sentence, which would provide for closed meetings by a two-thirds vote. We could actually close a meeting by a two-thirds vote by suspending the rules, and I would rather suspend the rules to do that, if something extraordinary should require it, than to establish in our rules that it is a procedure to be followed.

PRESIDENT CASSELL: Is that motion clear? A period goes after "at all times," at the end of the first sentence, second line. Everything beyond that to the end of the sentence is to be deleted. Is that clear?

MR. MARCUS: Yes.

PRESIDENT CASSELL: Is there a second to that?

(The motion was duly seconded.)

PRESIDENT CASSELL: Discussion?

MR. COATES: Mr. Chairman, I propose a substitute for the amendment which is as follows: to insert after the word "session" in line 5, "no executive sessions shall be held by the convention or any of its committees except to consider personnel matters regarding delegates and staff."

Now, the rationale for that includes the

consideration that all deliberations by the convention be open in the light of sunshine, but does allow for confidentiality with respect to personnel matters.

If we lead ourselves to the more difficult route of suspending the rules as proposed in the Eichhorn amendment, we still have, through a more difficult procedure, a convention that could be closed. So, by a two-thirds vote, there might be executive sessions allowing for closed actions. That, I submit is no more acceptable than if it occurred on a simple majority vote.

(The motion was duly seconded.)

MR. COATES: If it took 99 percent of the votes, it still would be obnoxious. We ought to incorporate in all that we do the very sound principle of sunshine, and I therefore urge support for the substitute, which allows us to convene an executive session but to limit those to personnel matters regarding delegates and staff.

PRESIDENT CASSELL: Okay. Delegate Coates' substitute motion is to add after the second sentence, which ends "session," "except for consideration of personnel matters," or words to that effect.

Discussion? Delegates Mason, Corn, Eichhorn, Talmadge Moore, and Long.

MS. H. MASON: Mr. President, Hilda Mason, at-large.

I wonder if delegate Coates would accept a friendly amendment to insert "confidential" in front of "personnel."

MR. COATES: That is certainly acceptable to me, sir, "confidential personnel matters."

PRESIDENT CASSELL: Delegate Coates has accepted the word "confidential" before "personnel."

Delegate Eichhorn?

MS. EICHHORN: I have no problem with holding executive sessions.

PRESIDENT CASSELL: Delegate Eichhorn, we're having trouble hearing you. Would you stand and possibly speak a little louder?

MS. EICHHORN: I would be satisfied, and I think maybe Reverend Coates would be satisfied, if the section read, "All sessions of the convention and all meetings of its committees should be open to the public at all times, except that the Executive Committee may hold closed sessions on personnel matters."

I think that's what he is trying to accomplish and what I was trying to accomplish. I have no problem with the Executive Committee holding executive sessions to deal with sensitive personnel matters.

PRESIDENT CASSELL: Delegate Talmadge Moore, delegate Long.

MR. T. MOORE: I was going to add to delegate Eichhorn's amendment, "and that written transcripts of such meetings and hearings shall be made available to the public."

PRESIDENT CASSELL: Delegate Talmadge Moore, you have the floor.

MR. T. MOORE: I have finished, sir.

PRESIDENT CASSELL: Delegate Shelton?

MS. SHELTON: I rise in opposition to the motion. My opposition stems from the fact that I do believe that rather than having a suspension of the rules, on those rare occasions, perhaps near the end, when the delegates may need some opportunity to resolve some issues that may preclude them from full adoption of the constitution, there should be provisions in the rules to allow us on those rare occasions -- and I think the first part of the sentence establishes the principle that we feel that all meetings should be open to the public -- but under those rare sets of circumstances where we deem that it is in the best interests of the adoption of the constitution, that we be allowed for those rare occasions to go into executive session.

MR. BLOUNT: Point of order, Mr. Chairman. Is the

delegate speaking to Talmadge Moore's amendment or what?

PRESIDENT CASSELL: The Chair confesses that he was conferring with the Parliamentarian, and I'm sorry I called on you again, because I didn't hear your amendment.

MR. T. MOORE: My amendment was, "and that written transcripts of such meetings and hearings shall be made available to the public." In other words, this would amend delegate Eichhorn's --

PRESIDENT CASSELL: Eichhorn's motion is not on the floor. That's an amendment to the main motion.

MR. KAMENY: Point of information, Mr. Chairman.

PRESIDENT CASSELL: The amendment that you made is to delegate Coates' main motion, right?

MS. SHELTON: No.

MR. COOPER: Coates has the substitute motion on the floor.

PRESIDENT CASSELL: So, that's an amendment to an amendment.

What are you asking for?

MR. KAMENY: I would like to make an inquiry. Is it not correct that under D. C. law, in executive sessions they discuss, but all actions must be taken in public thereafter?

MS. SHELTON: That's correct.

MR. KAMENY: Perhaps many of the delegates don't quite realize the limitations that that places on the conceptual notion of an executive session. You can't do anything in the session; you can only talk about it, but vote outside afterwards, in the sunshine.

MS. SHELTON: Very good.

PRESIDENT CASSELL: Delegate Marcus, and then delegate Croft.

MR. CROFT: I move the previous question on delegate Coates' substitute motion.

(The motion was duly seconded.)

PRESIDENT CASSELL: I call to your attention that Coates' motion is not an amendment, but it is a substitute motion.

MR. CROFT: And I'm moving the previous question on delegate Coates' substitute motion.

PRESIDENT CASSELL: The previous question has been moved. All those in favor?

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstentions?

(No response.)

MR. LONG: Point of information. What is the motion before the house?

PRESIDENT CASSELL: The motion before the house is the substitute motion by Reverend Coates, which is to say after the word "session" -- that is, indeed, the first sentence -- "except for consideration of confidential personnel matters," and that was what Coates accepted.

MR. LONG: Point of clarification. Does that mean that the previous two lines have been struck, also; that they are struck and this sentence is added?

PRESIDENT CASSELL: No. His is a substitute. If we pass that substitute motion, Eichhorn's is no longer on the floor.

MR. KAMENY: Read the whole first sentence.

MR. LONG: Yes, read what we're voting on.

PRESIDENT CASSELL: "All sessions of the convention and all meetings of its committees shall be open to the public at all times, unless the convention or the committee decides, by the affirmative vote of two-thirds of those present and voting, to hold an executive session, except for such sessions that deal with confidential personnel matters," or words to that effect.

Is that the sense of your motion?

MR. COATES: That is correct, sir.

PRESIDENT CASSELL: Okay. Please, hold it.

(Pause.)

PRESIDENT CASSELL: Reverend Coates, did you want to speak again to your motion?

MR. COATES: Did I want to speak against it?

PRESIDENT CASSELL: Again to your motion.

MR. COATES: I come to the front, my fellow delegates, because I feel very strongly about this matter. In my years of serving on the elected D. C. Board of Education and the first elected D. C. Council, which I'm sure you would agree represented a substantial level of responsible public participation, of all of the matters we ever considered, the only rationale for executive sessions was to hide something from somebody, other than for personnel matters.

I don't think that we can take this position with respect to this convention and then follow on and require the executive functionaries in the new state and the legislative functionaries in the new state to cease and desist from hiding from sectors of public interest things that they have a vital interest in so that those legislators and executives can do their thing.

I think we set the tone by the conduct of our own

deliberations for what gets incorporated in the constitution of the new state. It's a personal appeal which carries some experience. The only rationale has been to hide something, aside from personnel matters, both on the elected Board of Education and the D. C. City Council, and in the Mayor's executive functions.

PRESIDENT CASSELL: I think the question has been called.

MR. BRUNING: Point of information.

MS. FREEMAN: Point of information. I think there's a contradiction in what you're saying.

PRESIDENT CASSELL: First of all, Reverend Coates should not have been speaking. The previous question was called on this matter.

MR. FREEMAN: Mr. Chair, I just want to ask a question. This allows for two ways of closing a meeting, the way I read it. It allows for closing of the meeting for executive session. It also, if you read the language, allows for the closing of a meeting with a two-thirds vote.

The only way to provide for the closing of a meeting only for an executive session is to delete that portion of the language of rule 8.2 calling for the affirmative two-thirds vote to close the meeting. If you read the two together, you

have two ways of closing the meeting, and I don't think that was what delegate Coates' intention was.

PRESIDENT CASSELL: Delegate Schrag?

MR. SCHRAG: I think that when the President read the language to us, he just inserted an extra phrase. I think delegate Coates' amendment does the job. As I understand it, the wording would be, "unless the convention or the committee decides, by the affirmative vote of two-thirds of those present and voting, to hold an executive session for the consideration of confidential personnel matters." That puts the two things together; it limits when the two-thirds can act.

PRESIDENT CASSELL: All right. Are you ready for the question?

MR. CROFT: Point of order. The question has been called. The previous question was moved; we voted in the affirmative on the calling of the previous question. I think that a vote is in order.

MR. LONG: Point of order.

PRESIDENT CASSELL: Point of order.

MR. LONG: We have now had three different versions of what we're voting on. No body can vote unless it knows what it's voting on. Will the official version of what we're voting on be read? I'd like you to confirm the language we

hear from the Secretary so I know what I'm voting on.

MR. COOPER: The language that Mr. Coates put forth in his substitute, as amended by delegate Mason, would be to insert after "session" in the sentence in question, "except for consideration of confidential personnel matters."

PRESIDENT CASSELL: Delegate Coates, would you respond to that?

MR. COATES: Mr. Chair, the original substitute I proposed reads as follows: "No executive session shall be held by the convention or any of its committees, except to consider personnel matters regarding delegates or staff," which substitute on a friendly basis was amended to insert, after "consider," the term "confidential," before the term "personnel."

PRESIDENT CASSELL: Do you have that, Mr. Coates?

MR. COATES: Yes, I do.

PRESIDENT CASSELL: Please let us have that.

Is that motion clear now?

(No response.)

PRESIDENT CASSELL: All those in favor of the motion as clarified and read by delegate Coates, signify by standing, and we will count.

(A majority of the body stood.)

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstentions?

(Two persons stood.)

MR. KAMENY: Mr. President, I call the previous question on 8.2.

PRESIDENT CASSELL: The previous question on section 8.2 has been called.

MR. LOVE: Mr. Chairman, I have a point of parliamentary inquiry.

PRESIDENT CASSELL: Yes?

MR. LOVE: Although I don't think it's a large problem, we voted --

PRESIDENT CASSELL: Order, order.

MR. LOVE: When we voted on the Committee on Committees' report, we voted in a phrase to the effect --

PRESIDENT CASSELL: I'm calling for order. Please be quiet.

MR. LOVE: When we voted on the Committee on Committees' report, one sentence we voted on was that all meetings would be open to the public. Now, at this point we've made a minor change to that, and I just want to know if there's some way we can quickly reconcile the two so we

don't have a problem later.

PRESIDENT CASSELL: I think that Style and Drafting would make some kind of compensation for that.

MR. LOVE: It doesn't require anything formal from this body?

PRESIDENT CASSELL: The Parliamentarian, delegate Love, has pointed out that you're referring to the rules on committees. We're now talking about the rules of the convention.

The main motion is on the floor, and that is for 8.2. All those in favor of 8.2, as amended, signify by standing, please.

MR. COOPER: Thirty-seven.

PRESIDENT CASSELL: Those opposed to the amendment?

(No response.)

PRESIDENT CASSELL: Any abstentions?

(No response.)

PRESIDENT CASSELL: Rule 8.2 is adopted.

Delegate Holmes?

MS. HOLMES: Mr. Chairman, I make a motion that we adopt 8.3, with all amendments and corrections if there be any

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded

that 8.3 be adopted, with amendments. Discussion?

Delegate Graham?

MS. GRAHAM: I would like for all of us to look at "as soon as practicable." I don't know what that means, and if somebody could clarify that for me, maybe I could go ahead -- after "notice of meeting." The time is so indefinite and I'm thinking it could create quite a problem for the convention.

PRESIDENT CASSELL: Could you state that again, please, loudly?

MS. GRAHAM: In rule 8.3, "Notice of Meetings," "as soon as practicable" is a problem with me because it seems to be so indefinite.

PRESIDENT CASSELL: Does anybody on the Rules Committee want to qualify that? Delegate Paramore?

MS. PARAMORE: Well, this did come up in a meeting and there was some discussion about it. In other words, if we stopped our meeting tonight at 10:00, it wouldn't be practical for anybody to call up the delegates at 11:00 this evening, which means they would start calling the next morning or the next day.

"As soon as practicable" would mean a time limit after the prior meeting -- you know, a reasonable time.

PRESIDENT CASSELL: Delegate Graham?

MS. GRAHAM: I'd like to make a motion that "within 12 hours after the end of a meeting," or if we could say "six hours prior to." I think we need to specify some time, so I would say, right now, 12 hours.

PRESIDENT CASSELL: What's your motion, delegate Graham?

MS. GRAHAM: I move that instead of saying "as soon as practicable," we would say, "At least 12 hours after the convention determines the time of its next meeting, the staff shall notify all delegates by written notice."

PRESIDENT CASSELL: Twelve hours?

MS. GRAHAM: Let's just say "no more than 12 hours."

PRESIDENT CASSELL: Is there a second to that motion?

(The motion was duly seconded.)

MS. GRAHAM: "No more than 12 hours."

PRESIDENT CASSELL: Delegate Marcus?

MR. MARCUS: I'd like to ask delegate Graham if she'd accept a friendly amendment to make it 24 instead of 12.

MS. H. MASON: That's a long time. We've got 90 days.

MR. MARCUS: I understand that we have 90 days and

we have a short amount of time, but I also understand that we're going to be restricted by some staff problems.

MR. BLOUNT: Point of order.

PRESIDENT CASSELL: Point of order.

MR. BLOUNT: I would ask the delegate that if he wishes to make an amendment, to make the amendment and have someone second it, please.

MR. MARCUS: All right. I would move a substitute motion, making it 24 hours as opposed to 12 hours.

MS. EICHHORN: Point of order.

PRESIDENT CASSELL: I think what you've made is an amendment. Is there a second to that amendment?

MR. MARCUS: I'll withdraw it.

PRESIDENT CASSELL: Withdrawn?

MR. MARCUS: Yes.

MS. EICHHORN: Mr. Chairman?

PRESIDENT CASSELL: Point of order?

MS. EICHHORN: I just wanted to suggest that maybe all of us should read through the section, because I just did and noticed that there is 48 hours after notice has been given, unless there is a greater urgency. I think some of us were reacting to the beginning of 8.3 without having read it through; certainly, I was.

PRESIDENT CASSELL: Delegate Kameny?

MR. KAMENY: The language at issue here directs the staff to do certain things. Unless we are going to assume that we have a staff that is constantly trying to pull sneaky things on us all the time, in which they should be fired forthwith and replaced, I would say let the staff act as soon as practicable.

Leave the language as it is and monitor the staff, as one always does with staff anyway; that's an ordinance. I urge that it be voted down. Let the staff do their job.

PRESIDENT CASSELL: All in favor of the motion by delegate Graham to change "as soon as practicable" to "12 hours," raise your right hands.

MS. GRAHAM: "No more than 12 hours."

PRESIDENT CASSELL: I stand corrected; "no more than 12 hours." Is that correct, delegate Graham?

MS. GRAHAM: Yes.

PRESIDENT CASSELL: All in favor of that motion, raise your right hands, please.

MR. COOPER: Six.

PRESIDENT CASSELL: Those opposed?

MR. COOPER: Twelve.

PRESIDENT CASSELL: Abstain?

MR. COOPER: Four.

PRESIDENT CASSELL: The motion loses.

Any other amendments to rule 8.3?

(No response.)

MS. SIMMONS: I move the previous question.

(The motion was duly seconded.)

PRESIDENT CASSELL: On cutting off debate, all in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Those abstaining?

(No response.)

PRESIDENT CASSELL: Okay. Those in favor of delegate Holmes' motion to adopt rule 8.3, as amended, raise your right hands.

MR. COOPER: Thirty-three.

PRESIDENT CASSELL: Those opposed?

MR. COOPER: One.

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Rule 8.3 is adopted.

Delegate Holmes?

MS. HOLMES: Mr. Chairman, I make a motion that we adopt rule 8.4, with corrections and amendments.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that rule 8.4 be adopted, as amended. Discussion?

Delegate Feeley?

MS. FEELEY: Mr. President, I move that we strike rule 8.4. The language here indicates the role of the President, and the President knows what his role is. It is so delineated in Roberts Rules. I therefore think that this rule 8.4 is totally unnecessary.

PRESIDENT CASSELL: It has been moved to strike 8.4.

(The motion was duly seconded.)

PRESIDENT CASSELL: Discussion? Schrag?

MR. SCHRAG: The Rules Committee adopted this rule because it was very, very traditional. The essential part of the rule is the traditional one that the President has the privilege of speaking on a subject. He shall leave the Chair and turn the gavel over to another officer if he does so.

This is very ordinary procedure, and it ensures that the President can speak. If we strike the rule, the rules are subject to the interpretation that the President is barred from speaking altogether. I don't think we want to take the

position that the President should be barred from speaking on issues of concern to all the delegates and propositions advanced by the constitution.

PRESIDENT CASSELL: Delegate Harris?

MS. HARRIS: Mr. President, rule 8.4 is clearly defined in Roberts Rules of Order, Revised Edition, and any one of us who chairs meetings on a monthly basis knows that when we speak, we have to turn the gavel over to the next person sitting there. That is the proper procedure.

PRESIDENT CASSELL: All in favor of that motion, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(A chorus of "nays.")

MS. PARAMORE: What motion are we on?

MR. JACKSON: A motion to strike 8.4.

PRESIDENT CASSELL: Apparently, it wasn't clear. Let me restate the motion. Delegate Feeley's motion was to strike rule 8.4.

All in favor of striking rule 8.4, signify by standing.

MR. COOPER: Fourteen.

PRESIDENT CASSELL: Those opposed?

MR. COOPER: Seventeen.

PRESIDENT CASSELL: Abstain?

MR. COOPER: Three.

PRESIDENT CASSELL: The motion loses.

MR. SCHRAG: Mr. President?

PRESIDENT CASSELL: Delegate Schrag?

MR. SCHRAG: I would propose a new section 8.5, if that's in order.

MR. KAMENY: We haven't finished 8.4 yet.

PRESIDENT CASSELL: That is out of order.

Delegate Moore?

MR. B. MOORE: Mr. President, I move that we include in line 3, between the words "speak" and "unless," the following words -- I'll reread from the beginning of the sentence.

"The President shall preserve order and decorum and, in debate, shall recognize all those who desire to speak in the order of their request, unless debate is closed pursuant to these rules."

PRESIDENT CASSELL: Is there a second to that motion?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that on the third line, we insert, between "speak" and

"unless," "in the order of request."

Delegate Simmons?

MS. SIMMONS: Mr. President, through the Chair, I would like to entreat Mr. Moore to withdraw that amendment. Implicit in it is that you don't think that there's honesty in the intent and purpose of the Chair to do precisely that, or you're suggesting that unless ordered to do so, there would be a conscious effort to frustrate calling on people in the order of their requests.

And while I've heard lots of low-trust comments, I am not sure we want to reinforce that low trust by putting it into our document.

PRESIDENT CASSELL: Delegate Kameny, delegate Rothschild, and that's it.

MR. KAMENY: To point up my reaction to the motion, I'd like to first ask the President if he would be comfortable with this motion and, secondly, how he proposes, if this motion is passed, to decide, if five people raise their hands at the same time, how to put them on his list consistent with the sense of this motion.

In short, I'm saying the motion is impractical. I trust the President to recognize people in a reasonable fashion and in the order in which they come to his attention,

and I think we should vote the motion down. Thank you.

PRESIDENT CASSELL: Rothschild?

MR. ROTHSCHILD: Didn't you direct a question to the Chair?

MR. KAMENY: In a rhetorical sense to bring out my point, which is I don't think the President is going to be able to handle it.

MR. ROTHSCHILD: I speak in favor of the motion for this reason: I realize that every time hands go up, the President can't always distinguish the particular time of the hand going up. However, implied within the rule is that the President will attempt to make that distinction.

Also, I don't feel that every time we put something in rules or in anything regarding an officer, it is intended as an indication of our distrust of the person filling that office. I think any constitution requires checks and balances and direction, and I think all we would be doing is putting in the rules the direction as to how we would want the thing to be carried out.

So, I don't find it a personal attack on any person, or a distrust.

MR. CROFT: I move the previous question.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved that we cut off debate. Those in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstentions?

(No response.)

MR. B. MOORE: Mr. Chair, I was not even able to give the rationale for my motion.

MR. CROFT: Point of order. The previous question was moved, the previous question was voted on.

PRESIDENT CASSELL: That's the consequence of cutting off debate, sir.

MR. B. MOORE: I withdraw the motion.

(Pause.)

MS. H. MASON: Mr. President, I rise to make a new section to the rules, and it reads --

PRESIDENT CASSELL: I'm sorry. Would you start that again, please? We're having difficulty hearing you.

MS. H. MASON: I rise to make a new section to the rules which reads thusly --

MR. BLOUNT: Point of order, Mr. Chairman.

PRESIDENT CASSELL: Point of order.

MR. BLOUNT: We have not completed 8.4.

MS. H. MASON: Mr. Chairman, I thought we had approved 8.4.

PRESIDENT CASSELL: No.

MS. H. MASON: I'm sorry. Then I would like to be called upon for section 8.5. Thank you, Mr. President.

PRESIDENT CASSELL: Delegate Moore has withdrawn his motion. The main motion is on the floor. Are there any other amendments?

MR. KAMENY: I call the previous question.

(The motion was duly seconded.)

PRESIDENT CASSELL: The previous question has been called. Those in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The motion carries.

The main motion is on the floor now for the adoption of rule 8.4. Those in favor, signify by raising your hands.

MR. COOPER: Twenty-eight.

PRESIDENT CASSELL: Those opposed?

MR. COOPER: Nine.

PRESIDENT CASSELL: Abstentions?

(No response.)

PRESIDENT CASSELL: The motion carries; rule 8.4 is adopted.

The time is now 9:04. The Chair will entertain a motion to recess for a period of ten minutes. The Chair withdraws that. Delegate Holmes has a statement to make.

MS. HOLMES: I would like to say to the delegation that I am glad that the rules are over with, and I would like to thank all of the people that worked on the Rules Committee.

MR. JORDAN: Point of order, Mr. Chairman.

PRESIDENT CASSELL: Yes?

MR. JORDAN: Mr. Chairman, I thought that you had recognized delegate Mason to speak after the last action.

PRESIDENT CASSELL: The Chair apologizes.

Delegate Mason, 8.5?

MS. H. MASON: Mr. Chairman, I did not realize that delegate Maguire had a motion very similar to mine which is a little more extensive, and I would yield to her to make her motion.

MS. MAGUIRE: Proposed rule 8.5: "In accordance with D. C. law 3-171, the District of Columbia Statehood

Constitutional Convention Initiative of 1979, the convention shall establish the Statehood Commission and the Statehood Compact Commission. Duties and responsibilities will be in accord with that outlined within the sections of this Act.

"(A): the Statehood Commission shall be established in the following manner: (1) each ward delegation shall publicly solicit candidates for membership on the State Commission from civic, tenant, professional and other community organizations within their wards; (2) each ward delegation shall select three individuals from its ward as members of this commission; (3) for purposes of this section, an at-large delegate shall work with the member of the delegation from the ward in which he or she resides.

"The Statehood Commission shall establish its own operating procedures and select its own officers." I have copies of that law 3-171, if anybody wants to look at it.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that the proposed rule 8.5, as read by delegate Maguire, be adopted. Discussion?

Delegate Jordan, delegate Kameny, delegate Mason, delegate Oulahan.

MS. SHELTON: Could we be allowed a few minutes to

read this?

PRESIDENT CASSELL: Delegate Jordan?

MR. JORDAN: Mr. Chair, first, I see two documents here.

MS. MAGUIRE: One is the proposed rule, and the other is a copy of section 6 of 3-171.

PRESIDENT CASSELL: Do you have copies of the second document to pass around, also?

MS. MAGUIRE: Yes.

PRESIDENT CASSELL: Delegate Jordan?

MR. JORDAN: Mr. Chairman, I pass.

PRESIDENT CASSELL: Delegate Kameny?

MR. KAMENY: I would like to speak strongly against even the consideration of these matters at this time. This is a major matter, conceptually separate from our rules. It comes out of a separate law; it comes to us in the sense of a separate piece of business.

I would urge, therefore, that it be placed on our agenda at an early time in the future as a totally separate piece of business, after we have finished our rules, after we have finished our budget, after we have finished our committees, as the President may suggest, and I so move.

(The motion was duly seconded.)

PRESIDENT CASSELL: Delegate Mason?

MS. H. MASON: Well, Mr. Chairman, I will speak to the motion. Thank you, Mr. President.

I speak against Mr. Kameny's motion.

PRESIDENT CASSELL: Mr. Kameny does not have a motion.

MS. H. MASON: I thought he put a motion on the floor.

MR. KAMENY: I moved.

MS. H. MASON: And somebody seconded it.

Mr. President, I'd like to know where we are. There was a motion on the floor. Was it appropriate for him to -- I don't even know what your motion was.

MR. KAMENY: I moved to postpone.

PRESIDENT CASSELL: The motion by delegate Maguire was to adopt her proposed 8.5. Delegate Kameny moved to table.

MS. H. MASON: He said to postpone.

PRESIDENT CASSELL: He qualified that by saying "postpone indefinitely."

MR. JACKSON: Two-thirds vote.

MS. H. MASON: Mr. Chairman, indefinitely --

PRESIDENT CASSELL: I can't hear Ms. Mason; please.

MS. H. MASON: Let me ask the Chair, does "indefinitely" mean that it is not debatable?

MR. JACKSON: It is debatable.

MR. KAMENY: It's not my intent to kill this at all, but pick it up as a substantive piece of action later on, but not as part of our rules now. Let's get our rules done.

MS. H. MASON: Stay cool, brother; stay cool.

(Laughter.)

PRESIDENT CASSELL: Fellow delegates, delegate Kameny moved to postpone to a later time to be decided by the President. That is debatable.

MS. MAGUIRE: But even --

MS. H. MASON: Please, I was very polite when you were talking.

MS. MAGUIRE: I'm sorry.

MS. H. MASON: I'm very sorry.

We are discussing a provision in initiative 3, and this is what called the constitutional convention, so it is not a separate law; it is a part of the law under which we are operating. I want to correct that.

I want to make sure that we understand that we do need a Statehood Commission to help advocate for the passage of the constitution. We also need a Compact Commission to

negotiate with the federal government in order to work out the problems around the federal interest, and we should not put that off for a long time.

I understand that you're not doing that, but I understand that putting it in the rules does not say that we have to do it right away. I am hoping that we will do it because, Mr. President, the Council of the District of Columbia, in a mark-up session of the budget, approved \$150,000 for these two commissions.

(Applause.)

MS. H. MASON: I think it would be very appropriate for us to show that we are serious about the role for these two commissions and that we will put it into our rules and leave it to the President to start the activities to establish them. We're only putting them in the rules, and so I urge people to vote.

On Thursday, the Council acts in a legislative session to approve the budget, and there's only one meeting.

MR. COOPER: Time.

MS. H. MASON: I would not want the Council to get worried that we're not interested or serious about these two commissions so that they won't vote it out of the budget.

PRESIDENT CASSELL: Delegate Oulahan?

MR. OULAHAN: Mr. President, I rise in opposition to the motion to postpone for two reasons. One is the reason set forth by delegate Mason, with some information which I hope this convention greets with a great deal of hope.

The second reason is basically this: the statute very clearly requires the appointment of these two commissions. I have all the literature which reviews the basic initiative in the District of Columbia and, Mr. President, believe me, if we do not appoint these two commissions, the voters in the District of Columbia who approved the initiative are going to feel that they have been short-changed.

I therefore think it is important as an early step in this convention to have that principle and the statutory requirement recognized, in addition to the more urgent reasons stated by delegate Mason. Thank you.

PRESIDENT CASSELL: Jordan?

MR. JORDAN: Mr. Chairman, I have a copy of the Act, and nowhere do I notice in the Act that there is a requirement that these commissions be established. I hate to challenge the delegate from Ward 3 on this matter, but --

MS. MAGUIRE: Ward 2.

PRESIDENT CASSELL: Which delegate from Ward 3?

MR. JORDAN: Mr. Oulahan, who just said that the

statute required us to appoint these commissions. The statute reads that "the convention shall have the power." The operative language here is "shall." That is suggestive language; it's not directive. And as an attorney, he knows the distinction between suggestive language and directive language.

There's another thing. Some of the sections that in here, I'm vehemently opposed to, and I think, you know, by asking us this evening by giving us a kind of a carrot and a stick, in a sense, because that's what's happening now -- on one hand, you're saying the Council is considering giving us \$150,000. I mean, that's all they gave us to operate the whole convention on, you know. That's the carrot, and the stick is, if you don't do it, there's going to be some penalty here.

I'm suggesting that to ask us to run helter-skelter into this without any kind of opportunity to analyze the effectiveness is wrong. Now, like I say, there are certain provisions here in terms of the selection of candidates for these positions, the way in which at-large candidates are treated, et cetera, et cetera, that cause some concern on my part, and I hope it causes some concern on other delegates' parts.

For us to delay it at this point is no indication that we're not concerned about these commissions. It doesn't indicate that we are opposed to them. It just means that we want to study the matter. I'm certain that had George brought some amendments here this evening -- apparently, they had been worked on for some time, they had been typed up; they weren't given to us when we first came here this evening to study even from the beginning of the session. But I'm sure that had George brought up an amendment this evening and thrown it at you for the first time, all of you would seriously consider postponing that amendment until you could read what was implied, what was between the lines, and what was the hidden agenda.

All I'm asking us to do this evening is, please --

MR. OULAHAN: Hidden agenda?

MR. JORDAN: Yes, sir.

Please, support the motion to postpone this to another point.

PRESIDENT CASSELL: Delegates Harris, Jackson and Feeley.

MS. HARRIS: I yield to Feeley, if I may.

MS. FEELEY: I'd like to offer a substitute motion. I'll read it to you. If it's not in order, then please tell

me, Mr. President.

I move that the President of this constitutional convention appoint at the next session of this convention an ad hoc committee for the purpose of bringing recommendations to the convention to be acted on on the Statehood Commission and the Statehood Compact Commission.

(The motion was duly seconded.)

MR. LOVE: Point of information.

PRESIDENT CASSELL: Point of information.

MR. LOVE: Although I think I would favor the motion, I think a motion to postpone has precedence over this motion and has to be voted on.

PRESIDENT CASSELL: The Chair stands corrected; it does.

MR. LOVE: That are not inconsistent motions.

MR. KAMENY: They say much the same thing.

MR. LOVE: What is on the table is a motion to postpone, and that's what we have to debate. We can't debate anything else.

PRESIDENT CASSELL: The motion is debatable.

MS. HARRIS: Fellow delegates, I'd like to make just one statement regarding this motion to postpone, and that is I think the sense of what delegate Feeley has said is that

when material has been presented to us on an evening when we have a full agenda, we ought to consider very seriously taking that information and fully studying that information and coming back for a full discussion of it, and not voting and dealing with it and not including all of the intricacies of it.

So, I think the sense of the postponement is also embodied in the sense of the suggestion here, that we look further into the matter.

PRESIDENT CASSELL: Delegate Jackson?

MR. JACKSON: As I understand this, we postponed this until after we adopted all the rules, and the rules have been adopted. Then we would be amending the rules, which would take a two-thirds vote. I don't know if there's anything in this thing that says you can postpone the adoption of the rules; I don't know if that's Roberts Rules of Order -- I'm sure it's not -- to postpone the adoption of the rules.

But just speaking on the question of postponement, if we don't establish these commissions, who the hell is going to do it? I don't want the Mayor or the City Council doing it for me. I want us to do it. I'm finished.

MS. SHELTON: Point of information.

PRESIDENT CASSELL: Point of information.

MS. SHELTON: Mr. Chairman, I recall somewhere in the adoption of the previous rules that it does allow for the Chair to appoint a special task force group on orders to transact special items on the agenda. Can anyone point to that particular section?

MS. FEELEY: Page 2 of the rules, chapter 1, rule 1.2.

PRESIDENT CASSELL: Will everybody sit down until we resolve this, please?

Delegate Shelton is about to refer to --

MS. SHELTON: It would appear, Mr. President, that a motion that allows for a special group to consider this item would not necessarily require an amendment to the rules. Thank you very much.

PRESIDENT CASSELL: Delegate Long?

MR. LONG: Because this was proposed as a rule, 8.5, it does mean it has to be considered a rule.

MR. KAMENY: Right.

MR. LONG: The law which has been given to us says we have the power to make an appointment. It doesn't have to be considered as a rule. It can be taken up at any time. Therefore, we shouldn't get tangled up in the question as to whether it's part of the rules or not.

PRESIDENT CASSELL: Delegate Blount?

MR. BLOUNT: Mr. Chairman, I move the previous question.

PRESIDENT CASSELL: The previous question has been moved, cutting off debate. All in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(There were three "nays.")

PRESIDENT CASSELL: Abstentions?

(No response.)

MS. H. MASON: Mr. President, I just want to correct the record, please. I would like to correct the record.

PRESIDENT CASSELL: On a statement that you made, or someone else?

MS. H. MASON: A statement that was made by someone else in regard to the discussion.

PRESIDENT CASSELL: Ms. Mason, you can correct a statement of your own, but it would simply be argumentative to correct a statement of someone else. If you want to provide information to the convention indicating that something has been said which is erroneous -- I don't think any delegate can take issue with another delegate, unless there's something on

the floor to discuss.

MS. H. MASON: All I want to do is for the record to show a correction, and not to debate.

PRESIDENT CASSELL: Why don't you give a point of clarification on anything that you want to talk about?

MS. H. MASON: Well, this is in regard to a motion that has already passed and I just want to clear the record. I will state it and you can rule it out of order, all right, if it is out of order?

At a previous meeting -- I think it was right here -- two people said that they wanted to include in the rules this item that we just voted down; they were delegate Maguire and delegate Mason. And we were told to wait until the end of the rules and they would be included at that time.

Now, I'm not questioning the body's action to deny the motion even after that. But, Mr. Chairman, that was a part of the history, and I want that on the record.

PRESIDENT CASSELL: All right. I will not rule that out of order; that is useful information.

MR. LOVE: The question has been called.

MS. MAGUIRE: I haven't had a chance to speak to my motion.

PRESIDENT CASSELL: The question has been called.

MR. B. MOORE: Point of information.

PRESIDENT CASSELL: Yes?

MR. B. MOORE: Have there been comments from two in favor and two opposed to the motion by Mr. Kameny? Has opportunity been provided for two people in favor and two people opposed to the amendment?

PRESIDENT CASSELL: Hold on.

(Pause.)

PRESIDENT CASSELL: To answer your question, seven have spoken on the motion; three have spoken against the motion. The Chair has not provided an opportunity for the maker of the original motion to speak for her motion. The Chair will allow her to do so now.

MR. LONG: Point of order.

MS. MAGUIRE: I'll make it short.

PRESIDENT CASSELL: Yes, sir.

MR. LONG: I brought this question up, do you remember? The Chair ruled that no one had a right to speak for or against if somebody cut off debate. The Chair was upheld by the body on that question, because I appealed it because I wanted to allow two for and two against.

MS. MAGUIRE: Does the Chair --

PRESIDENT CASSELL: Please, please, be quiet and let

the Chair rule on this.

MR. LONG: Now, the Chair is ruling the other way. All I want is consistency.

PRESIDENT CASSELL: All right. The Chair will try to be consistent. The Chair feels it hasn't been fair in not allowing the maker of the motion to speak on her motion. Perhaps it should have been done earlier. I will allow the maker of the motion to speak on the motion.

MR. COOPER: Point of order, Mr. Chairman.

PRESIDENT CASSELL: Yes?

MR. COOPER: Right now, her motion isn't on the floor before us. We have not voted on the Kameny motion to postpone, so she would be out of order if she were allowed to speak.

MR. JACKSON: She should have been allowed to speak before Mr. Kameny made his motion.

PRESIDENT CASSELL: Yes.

MR. JACKSON: She made a motion; she should be allowed to speak.

MR. COOPER: Mr. Kameny made a privileged motion that preceded hers.

MR. JACKSON: Don't play with the rules now. She should have been the first person allowed to speak, so let the

woman speak. That's not fair.

MR. MARCUS: Let her speak.

PRESIDENT CASSELL: We can be very, very technical, but the Chair is not disposed to be technical. The Chair feels that the maker of the motion should have had a right to speak, and we will allow her to.

MS. MAGUIRE: Thank you.

(Applause.)

PRESIDENT CASSELL: After that, we will honor, belatedly, the motion to cut off debate.

MS. MAGUIRE: Thank you, Mr. Chairman.

The reason that this rule was proposed was because it is clear that we do not have to do it; that's why the rule was proposed. My concern, as I spoke four meetings earlier, was that it might have been overlooked; that's why I wanted it part of the rules.

Now, I'm not exactly sure how one is supposed to function at this convention. First, I said I would withdraw my motion for it if I had a commitment from the delegates that we would deal with this at the end of the rules. Everybody said that they were committed to that. Now, I come back and you tell me that you're not.

I tried to work with that real nice and not confuse

anybody and have a simple presentation tonight, and I wasn't being sneaky; it wasn't meant like anything like that at all. I thought people were expecting it at the end of the rules. I had been thinking about it; I thought other people were, too. There was nothing sneaky intended at all.

The reason that it was proposed is because my interpretation of the law is that we do not have to establish the commissions. I would be happy to withdraw (A) and (B) of this section and we could work on them later. If you just want to say that we are committed to establishing the commissions and putting that in the rules, that is fine with me. If you want to work on the other stuff later, that's fine.

So, if I withdraw this motion and put another motion in that would just say, "In accordance with D. C. law 3-171, the District of Columbia Statehood Constitutional Convention Initiative of 1979, the convention shall establish this Statehood Commission and Statehood Compact Commission," would you adopt it?

(The motion was duly seconded.)

MS. MAGUIRE: Thank you.

MR. COOPER: Point of order. Her motion is not in order.

MS. MAGUIRE: A substitute motion.

MR. COOPER: The Kameny motion is on the floor.

MR. KAMENY: If the Chair will allow it to be done, I'm perfectly willing to be adaptable, if the Chair will be adaptable and the body wants to adopt delegate Maguire's motion. I'm happy.

PRESIDENT CASSELL: Are there any major objections to allowing the motion to be on the floor and voted?

MR. KAMENY: Which motion, delegate Maguire's?

PRESIDENT CASSELL: Delegate Maguire's motion.

All in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed, nay.

(No response.)

PRESIDENT CASSELL: Abstentions?

(No response.)

PRESIDENT CASSELL: Okay. We're going to read the substitute motion again.

MR. COOPER: The substitute motion as offered by Ms. Maguire would read as follows --

PRESIDENT CASSELL: And passed.

MR. COOPER: And passed, yes.

"In accordance with D. C. law 3-171, the District of Columbia Statehood Constitutional Convention Initiative of

1979, the convention shall establish the Statehood Commission and the Statehood Compact Commission. Their duties and responsibilities will be" --

VOICES: No.

PRESIDENT CASSELL: That's the end.

MR. COOPER: She just came up and told me where it ended.

PRESIDENT CASSELL: Okay, is that clear?

Delegate Schrag?

MR. SCHRAG: I think there are three things left over for these rules that we've postponed until tonight from previous nights. I have a one-sentence amendment to offer as a new section about when the proper time is to ask for a roll call vote.

We also have the minority report of the Committee on Committees, which we tabled for a very, very short time, which I think is now appropriate to deal with. And we have the short list of motions that may not be made that we recognized on Saturday would be appropriate to deal with before these rules were adopted.

At this time, I would like to move that we add a new section 8.6, Requests for Roll Call Votes. "A roll call vote may be requested at any time before the presiding officer

announces the results of the vote taken by another method."

MS. PARAMORE: Point of order, Mr. President. Isn't delegate Feeley's motion on the floor at the present time to form an ad hoc committee? We never did vote on it. Delegate Kameny withdrew his motion and then we accepted part of delegate Maguire's statement. But we still have to deal with her request to form an ad hoc committee, which would be formed by you on Thursday, and we never voted on that motion.

PRESIDENT CASSELL: The President can appoint that ad hoc committee without a vote on it.

Delegate Feeley?

MS. FEELEY: I'm disposed to go along with the Chair in terms of his responsibilities and rights to determine ad hoc committees.

PRESIDENT CASSELL: Thank you.

Delegate Schrag, you still have the floor.

MR. SCHRAG: My motion is to add a new section, Requests for Roll Call Votes. "A roll call vote may be requested at any time before the presiding officer announces the results of a vote taken by another method."

MS. FREEMAN: Could you repeat it a bit more slowly?

MR. SCHRAG: Requests for Roll Call Votes: "A roll call vote may be requested at any time before the presiding

officer announces the results of a vote taken by another method."

The purpose of this motion and amendment is simply to clarify, given the confusion on this subject the other day, at what point it's in order to make the request for a roll call vote, whether one makes it before one starts voting by another method or after one finishes voting by another method. It doesn't really matter all that much, but we all should know when the time is right to call for a roll call vote.

We've already dealt with how one gets a roll call vote. We just didn't have in there when, and so all this sentence does is tells us when to ask for a roll call vote.

PRESIDENT CASSELL: Wouldn't it be more appropriate to amend rule 4.2 rather than to add to chapter 8?

MR. SCHRAG: Yes, it would. I suggested that at the time I raised this on Saturday, and was instructed that it would be better to leave it for the end of the rules and then Style and Drafting would move it into the proper section at a later time, but that as a matter of moving things along, it should be held until the end of the rules, and that's why I'm raising it tonight.

PRESIDENT CASSELL: Have you written your motion down?

MR. SCHRAG: Yes, sir.

(The motion was duly seconded.)

PRESIDENT CASSELL: Yes, delegate Mason?

MS. H. MASON: Mr. President, may I ask the maker of the motion, is it your intent that the Styling and Drafting Committee will revise rule 4.2?

MR. SCHRAG: Yes, it's my understanding that the Style and Drafting Committee will put this sentence in the proper place in chapter 4.

MS. H. MASON: Thank you.

PRESIDENT CASSELL: While we're waiting for the written motion, delegate Rothschild and delegate Shelton.

MR. ROTHSCHILD: Actually, it's a question. What provision do we have in the rules to ask for a recount, for example, if we're unclear as to whether or not there has been a precise count of the "for" and "against?"

The reason I raise that is because if we limit a roll call vote to only before the tally is announced, I'm not sure we have a provision in there to double-check the count, whereas a roll call could be asked for after a tally to see if there was a correct count. So, that's what I'm asking. I pose that to anybody who can answer it.

PRESIDENT CASSELL: Let us read the motion before

we have any discussion. Delegate Schrag suggests there be an amendment to the appropriate rule, and that rule would be 4.2 on roll call votes. Requests for Roll Call Vote: "A roll call vote may be requested at any time before the presiding officer announces the results of a vote taken by another method."

Is there a second to that motion?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that 4.2 be amended as just read. Discussion?

Brother Blount?

MR. BLOUNT: Mr. Chairman, I would like to respond to delegate Rothschild's question. I think in order for his question to be answered, we have to vote against the motion now before us because in all of my dealings with a lot of organizations, I have never known that you could not call for a roll call vote after the vote was announced.

The purpose for calling for a roll call is when the Chair is in doubt or when someone is in doubt about the vote. So, why should we be encumbered to make sure you call the roll call vote before the vote is announced? Why can't you call for it after the vote is announced? That's my question.

PRESIDENT CASSELL: Delegate Schrag?

MR. SCHRAG: I'd like to respond to delegate Blount that I don't really have a strong view on when one should ask, but I do think we should clarify it one way or the other in these rules so we don't have arguments about it for hours on end later on in the convention. I think we should settle it once and for all one way or another now.

I'd be willing to have this proposal amended, just so we have some rule on the subject.

PRESIDENT CASSELL: Any other discussion on the amendment to 4.2? Yes?

MR. GARNER: I move to amend the motion; strike "before" and add "at the time that the vote is announced."

PRESIDENT CASSELL: It has been moved that we strike "before" and add "at the time of the vote."

MR. GARNER: "At the time the vote is announced."

PRESIDENT CASSELL: "At the time the vote is announced." Any discussion on that?

MS. SHELTON: I call the question.

PRESIDENT CASSELL: All in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(There were five "nays.")

PRESIDENT CASSELL: Abstentions?

(No response.)

PRESIDENT CASSELL: The motion carries.

The main motion is on the floor. Delegate Garner?

MR. GARNER: I call the question.

/ PRESIDENT CASSELL: The question has been called.

Those in favor?

(No response.)

PRESIDENT CASSELL: Those opposed?

(No response.)

(Laughter.)

PRESIDENT CASSELL: The motion is delegate Schrag's motion, as amended.

MS. JONES: A point of information, Mr. Chairman.

PRESIDENT CASSELL: Yes?

MS. JONES: Now, what does my vote mean? Does it mean that it denies me the right to call a roll call vote when I feel that there's a division of the house if I vote for it, or if I vote against it, does it mean that it stops that? I don't know what my vote means on this because, in the first place, I don't know what the intention of this rule is.

PRESIDENT CASSELL: Delegate Blount?

MR. BLOUNT: I'd like to respond to that. Delegate

Jones, you will have the ability to call for a roll call vote if you vote for the main motion, as amended, because the main motion has been amended so that you can call for a roll call vote after the vote has been announced by the Chair, which is easier to do, rather than have to remember that "I've got to let him know that I've got to call for a roll call vote before the vote is announced."

PRESIDENT CASSELL: Delegate Paramore?

MR. PARAMORE: Point of information. I'm having problem with what the discussion is about at this point in time. All I see is that it's being a little bit redundant. In other words, we're already talking about a roll call, and then when you go back and say you're going to call a roll call, you've already gone through a roll call.

MR. JACKSON: The question was called.

PRESIDENT CASSELL: All those in favor of 4.3, as amended, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The motion carries.

Delegate Schrag, your next motion?

MR. SCHRAG: I understand that delegate Freeman is moving the minority report.

PRESIDENT CASSELL: All right. Delegate Freeman?

MS. FREEMAN: Did everybody get a copy of the minority report on Saturday?

MR. BLOUNT: No.

MS. FREEMAN: Okay. I have a few changes on it, so don't freak out.

MS. SHELTON: Point of information.

PRESIDENT CASSELL: Delegate Shelton.

MS. SHELTON: Are we receiving the minority report, acting on the minority report, or hearing the minority report?

MS. JONES: We're hearing the minority report.

MS. FREEMAN: I'm presenting it, and if there's no objection, I would also make a motion that we accept it, but I'm a little bit flexible on that.

MS. SHELTON: What section of the rules does this involve?

MS. FREEMAN: I'm about to give that.

If you all have a copy of the original Committee or Committees' report, this minority report would fit into number 13. It would be a third operating committee and there

would also be reference later on to it which I will give to you. But I would first like to clarify some of the words on the paper that you all have.

PRESIDENT CASSELL: May we have everybody's attention, please, and all talking stopped? We're getting to the point of a recess.

MS. FREEMAN: What is meant by "committee member" is an ad hoc committee of people who were interested in developing a minority report after it was originally presented. It is not intended to become a permanent committee.

In the second to the last paragraph, there is an editing change, basically, and it will read as follows: "This committee shall consider and make recommendations to the convention as to the method of presentation of the constitution to the public." Then it goes on to say what is the last sentence of that paragraph, "The committee shall further prepare and present to the convention for its approval an address to the people outlining the results of the convention's work."

MR. T. MOORE: Mr. Chairman, could she read that again?

MS. FREEMAN: The second to the last paragraph shall read as follows: "This committee shall consider and make

recommendations to the convention as to the method of presentation of the constitution to the public." In other words, the last paragraph deals with the method of presentation and the actual preparation of the presentation -- how to do it, and then who is going to do it.

PRESIDENT CASSELL: Do you have a question, delegate Simmons?

MS. SIMMONS: Yes, I have a question. I want to know to what extent is the language here subsuming the responsibilities of the Compact that we just talked about dealing with later. I think that's a question that needs to be answered.

MR. ROBINSON: I did work with delegate Freeman and others on this ad hoc committee, and I am concerned at this point that there will be some duplication of effort on the part of this proposed committee for public information and media in direct opposition to the Compact Commission and the other commission.

As I result of that, I would move that the following sentence be stricken from the committee's report: "The committee shall consider and make recommendations to the convention as to the method of submission of the proposals of the convention to the public after the constitution is

approved by the convention."

I think that that sentence being removed from the committee's report would remove the obstacle of this committee in contradiction to the Compact Commission.

(The motion was duly seconded.)

MR. ROBINSON: Now, does everyone understand what I'm asking?

VOICES: Yes.

MR. ROBINSON: And does everyone understand why this sentence should be deleted?

MR. ROTHSCHILD: No.

MR. ROBINSON: What's your problem, sir?

MR. ROTHSCHILD: I don't understand why it should be stricken.

MR. ROBINSON: Well, let me go back. We were given earlier District law 3-171. District law 3-171 states that, "A Statehood Compact Commission which will consist of members shall have the following duties: to conduct a full and complete study of the necessary, appropriate legislation; to give special consideration and submit to the constitutional convention full and detailed reports, with findings and recommendations; and to inform the citizenry on a daily basis of the progress of the convention through a newspaper of

general circulation."

This commission will basically serve what we are asking for the committee for public information to do. Since the Compact Commission is, by statute, established, I see no need for us to create a committee which will be redundant in its purpose --

MR. COOPER: Time.

MR. ROBINSON: May I please finish my sentence, Mr. President?

PRESIDENT CASSELL: Yes, you may.

MR. ROBINSON: I see no need in creating this committee which will be redundant. And the other thing is public --

PRESIDENT CASSELL: Thank you, thank you.

MS. SHELTON: Mr. President, I think we can solve this problem.

PRESIDENT CASSELL: Just a minute. There is a motion on the floor that was seconded, and that is the motion by delegate Robinson to strike the first three lines of the next to the last paragraph, and that was seconded.

Now, do you want to speak on that motion?

MS. SHELTON: I think we can clarify that so that delegate Freeman will consider this. First of all, I think

it was the intent of the minority committee when it first presented itself to urge the convention delegates to move toward an active and aggressive program of making known the deliberations and to prepare the Washington community for the adoption of the constitution. That was the intent.

I think this body has expressed and concurred with the intent of this committee through the establishment of these two commissions. Therefore, I would wonder if it would not be satisfactory to the minority committee members if we were to accept your report and you would then consider that we have taken action on your report through the adoption of the rules, and that the President has also, through conversations, indicated that a special ad hoc committee be proposed to consider this and other matters in terms of moving aggressively forward.

I would wonder whether or not the intent and the mood of this convention has not already been expressed, and the intent of the majority already expressed through the adoption and intent of the convention to do this. Therefore, it would not be necessary to establish a new committee.

Would you be so inclined towards accepting the intent and form of action in that regard?

MS. FREEMAN: What you are saying is that the duties

of this proposed committee, then, would be subsumed under the Statehood Commission, or the ad hoc committee that the President will appoint will work out the relationship between the two, whatever might be worked out.

MS. SHELTON: Right.

PRESIDENT CASSELL: Delegate Harris, as a member of the committee?

MS. HARRIS: I think the confusion might be in the fact of my motion to table this committee's report. But in the meantime the motion mentioned that this was a committee on information and media. This committee was supposed to draw up guidelines for developing a media strategy for getting our information to the public and to the people. That's why it was tabled.

Now, the committee is called information and media. When you get into the submission of the constitution, you're getting into another area that is not a part of the guideline and duties of a committee on information and media. I think you're putting two things together. That's why we're having a problem with dealing with the report.

If the report stays within the information and media guidelines -- developing newsletters, news media, and getting to the public, to the schools, et cetera -- then we don't go

into the territory of those commissions and other specific committees -- Style and Drafting, et cetera. I think that's the problem.

MS. SHELTON: I think the intent was to try and provide mechanisms through which information would be conveyed and through which we would create a receptive attitude toward the adoption of the constitution. As I recall at the time the experience of Maryland was mentioned in relationship to that.

MS. HARRIS: Right.

MS. SHELTON: So, therefore, I believe that the convention has already expressed itself through the establishment of these two commissions and through its other work to carry on what is the minority's report. And therefore it would not appear necessary to have a separate action in this regard.

MS. SIMMONS: And discharged to the President.

MS. SHELTON: Right.

MS. FREEMAN: I would like to clarify a couple of matters. I think that there are, in fact, three different things that we're talking about here. One is the second to the last paragraph, which has to do with public address and submission, and I think it is clear that that really is a

separate kind of area of work.

The problem is that it was never covered in the original Committee on Committees' report. I have no problem with tabling it. I'll just point out to the convention that sooner or later, you will have to develop that and deal with that problem. So, I think that would clarify things, and that was Mr. Robinson's --

MR. ROBINSON: That was my motion.

MS. FREEMAN: Then the second issue is the relationship between the Statehood Commission and a possible committee on public information. When the five of us met, we did not really clarify that. I personally had the notion that if we had members of the committee on public information serve on the Statehood Commission, there could be a coordination of effort, because it was my belief that there should be some delegates, at least, on the Statehood Commission so that it would not be going off and doing A, B and C on public information, while we're doing X, Y and Z; that there would be some coordination.

Now, again, I'm willing to table the whole thing. I think that the relationship between the two has to be worked out, and I think the committee's feeling was that there very definitely does have to be a committee of this

convention dealing with public information in addition to the Statehood Commission.

PRESIDENT CASSELL: Delegates Love, Simmons, Jordan, Mason.

MR. LOVE: There are two issues here. Both of these issues, I think, are the responsibilities of the convention. The first is publicity. I do not think that this convention should give any other group -- Statehood Commission, Compact Commission, or anything else -- control over our publicity. If there are some people who will do some work, perhaps under this committee's jurisdiction, then I think that's fine. But I think we would be very foolish to set up some committee structure outside of our own that is allowed to deal with our publicity. That's the first issue.

The second issue is, at some point we have to decide how the completed constitution is going to be presented to the people. This committee does not have to do it, but some committee has to do it at some time near the end, and I think we should just keep that in mind. At some point, this convention will have to agree what goes out, how the referendum is worded, whether there are going to be divisions on particular issues or not.

So, I think that although there are two issues here

I think it's important that, one, we control public information ourselves, and, two, at some point we set up some way of submitting the final document to the people.

MS. SIMMONS: Mr. Chairman, I believe that delegate Shelton has spoken very cogently to the major issue, and I think that delegate Freeman does not find that a prostitution of her intent.

I would simply remind the body that the skills for public information and the dissemination of that whole advocacy thing -- I certainly felt that it was never our intention for that to be an external body. That's why we even suggested and discussed that the President and the Executive Committee be responsible and that they have that oversight responsibility.

The President has the authority to see that its guidance represents the spirit of this body, because he selects delegates on that committee, number one. Number two, he also has access to the talents and the skills of the paid staff who can likewise contribute to that whole public information, media, newsletters, et cetera, which delegate Harris speaks to.

I believe that we have indeed covered all of those terribly important aspects vis-a-vis the previous action and

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the understanding and charge by this body to the President with regard to these matters. And I would like to see simply an appreciation for the good work and good thought of this committee, and that we consider the President, the Executive Committee and those persons ordered to carry out the will and the intent of this body as expressed in both documents.

MS. FREEMAN: Mr. President, I don't think that I'm personally in a position to accept that, so I would like to make a motion and we can all just argue it out, and that is that --

PRESIDENT CASSELL: There's a motion on the floor now; we're still speaking to that.

Delegate Jordan?

MR. JORDAN: I wanted to see if I could amend delegate Samuel Robinson's motion in several areas. The first would be in the second sentence of the first paragraph by adding at the end of that sentence, "by the President of the convention or his designee."

"This interest will be generated through excessive publicity in the local newspapers, talks before civic groups, schools and universities, press releases, and discussion on radio and TV shows by the President of the convention or his designee."

(The motion was duly seconded.)

MR. JORDAN: Wait a minute; I have a couple of others.

The next one is, in the full paragraph it says, "The committee shall function during the entire convention," and after "convention" I would insert a period and strike the rest of that phrase, which says, "and through the ratification process."

And then the last amendment I would like to make to Mr. Robinson's amendment would be, and this is in the very last sentence, "This committee shall coordinate its work through the President and Executive Committee."

I'd like to see if Mr. Robinson would accept those as friendly amendments.

MR. COOPER: May we have a copy of those amendments?

PRESIDENT CASSELL: Delegate Jordan, I think you're going to have to make that motion yourself. There actually was not a motion on the floor at the time Mr. Robinson made his amendment. That was an improper motion; no motion had been made.

MR. JORDAN: Thank you, Mr. President. Then I'd like to move that the recommendation from the ad hoc committee for public information and media be amended by striking the

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period at the end of the second sentence of the first paragraph and inserting the phrase, "by the President of the convention or his designee."

Then in the fourth paragraph, insert a period after the word "convention" and strike the phrase, "and through the ratification process." And, in the fifth paragraph, strike the first sentence.

MR. ROBINSON: "This committee shall" --

MR. JORDAN: Yes.

MR. ROBINSON: Okay, that was my suggestion.

MR. JORDAN: And, in the last paragraph, we strike the words "with following work" and insert in lieu thereof the word "through."

MR. MARCUS: Point of information.

PRESIDENT CASSELL: Delegate Marcus?

MR. MARCUS: Would delegate Jordan please repeat the second part of his amendment?

MR. JORDAN: The second part was --

PRESIDENT CASSELL: Which paragraph?

MR. JORDAN: It's the fourth paragraph, and after the word "convention," put a period.

PRESIDENT CASSELL: Strike "and through the ratification process?"

MR. JORDAN: Yes.

PRESIDENT CASSELL: Do you have that in writing now?

MR. JORDAN: I could give it to you the way I have it.

PRESIDENT CASSELL: Any way that the Secretary can read it.

Now, before we vote, I want to read this so that you clearly understand it. I want to have this motion read, unless somebody has got a point of inquiry or a point of order. The Secretary will read the motion made by delegate Jordan.

MR. COOPER: The first part of delegate Jordan's motion deals with adding a phrase at the end of the first paragraph following the language of "and TV shows," to say "by the President or his designee."

PRESIDENT CASSELL: "The President of the convention or his designee."

MR. COOPER: I'm reading what's here.

The second part deal with the fourth paragraph, which reads, "This committee shall function during the entire convention and through the ratification process." His amendment would strike the portion that reads "and through the ratification process."

PRESIDENT CASSELL: Has everybody got that?

MR. B. MOORE: Yes.

MR. COOPER: The next amendment deals with paragraph five, the first sentence, which reads, "This committee shall consider and make recommendations the convention as to the method of submission of the proposals of the convention to the public after the constitution is approved by the convention." His amendment would insert the word "to" before "recommendations" and "the." I would think we would want to strike one of these "the's."

PRESIDENT CASSELL: Unreadiness? Delegate Garner, delegate Jackson.

MR. COOPER: I'm not finished.

PRESIDENT CASSELL: You're not?

MR. COOPER: No.

PRESIDENT CASSELL: He's not finished.

MR. GARNER: Mr. Chairman?

MR. COOPER: I'm still on the floor, sir.

MR. GARNER: I'm sorry.

MR. COOPER: The final amendment would deal with paragraph six of this report, which reads, "This committee shall coordinate its work with the President and the Executive Committee." This amendment would substitute the word "through

for the word "with" in that sentence.

MR. JORDAN: Please, could you read the fifth paragraph for us again, because that should take out the whole sentence that's in parentheses?

MR. COOPER: You want to strike that entire sentence?

MR. JORDAN: Correct.

MR. COOPER: It's not stricken here.

Paragraph five, then, as modified by Mr. Jordan, would simply read, "The committee shall further prepare and present to the convention for its approval an address to the people outlining the results of the convention's work."

PRESIDENT CASSELL: Discussion? Delegate Garner, delegate Jackson, delegate Love.

MR. GARNER: I like very much the proposal put forth by delegate Jordan. I like very much the minority report from the Committee on Committees. I like very much the proposal that we adopt a Statehood Commission and a Statehood Compact Commission.

I like very much the Committee on Local Government, which has the responsibility for transition and liaison to the Statehood Compact Commission. I believe we are not able this evening to discuss these motions. It is now 10:08. It

is very rude but very appropriate at this time for somebody to move that we adjourn.

I would like us all to consider that a very friendly idea and do it, and come back with these suggestions the first thing on Thursday. Is that a good idea?

PRESIDENT CASSELL: Delegate Jackson?

MR. JACKSON: Did he put a motion on the floor?

PRESIDENT CASSELL: No.

MR. GARNER: I would move to adjourn.

PRESIDENT CASSELL: I called on you, delegate Jackson.

MR. JACKSON: Well, I'll second that.

PRESIDENT CASSELL: I didn't hear a motion.

MR. JACKSON: Then I move to adjourn.

(The motion was duly seconded.)

MR. JACKSON: I'd like to ask a question if my motion is out of order.

MS. HARRIS: Delegate Jackson, don't move to adjourn.

MR. JACKSON: It's a privileged motion. It's 10:00; I came here at 6:00. I can't stay all night.

PRESIDENT CASSELL: It has been moved and seconded that we adjourn.

MR. B. MOORE: But you can't while a motion is on

the floor.

MR. JORDAN: There's a motion on the floor.

PRESIDENT CASSELL: Delegate Jackson, there is a motion on the floor. A motion to adjourn takes precedence over any other motion, but a motion to adjourn does not interrupt a vote.

MR. JACKSON: On all of the amendments?

PRESIDENT CASSELL: We're about to vote.

MR. JACKSON: No, we're not. We were about to ask questions on the motion. There were six people who wanted to discuss the motion; the vote was a long ways down the line. I had questions.

MS. SHELTON: Mr. Chair?

PRESIDENT CASSELL: Fellow delegates, the motion is in order. All those in favor of adjourning, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(A chorus of "nays.")

PRESIDENT CASSELL: Show of hands. All those in favor of adjourning, signify by standing. All of those in favor of adjourning, stand.

MR. COOPER: Twenty-four.

PRESIDENT CASSELL: All of those opposed to adjourning, please stand. All opposed to adjourning, please stand. Everyone standing now will be counted as opposed to adjourning.

MR. COOPER: Eleven.

PRESIDENT CASSELL: The motion carries; this meeting is adjourned.

However, I would like to make an announcement to you as you leave. We have established our next meeting as Thursday in this room at 6:00, during which meeting we will decide on our Saturday meeting. We will have an agenda of unfinished business which is a part of this agenda that we didn't reach.

(Whereupon, at 10:13 p.m., the convention was adjourned, to reconvene on Thursday, February 18, 1982, at 6:00 p.m.)